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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,802	07/15/2003	Jason P. Brenden	V44.12-0155	7682

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KINNEY & LANGE, P.A.
THE KINNEY & LANGE BUILDING
312 SOUTH THIRD STREET
MINNEAPOLIS, MN 55415-1002

EXAMINER

WELLS, KENNETH B

ART UNIT PAPER NUMBER

2816

DATE MAILED: 08/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/619,802

Applicant(s)

BRENDEN, JASON P.

Examiner

Kenneth B. Wells

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 is/are allowed.
- 6) ☒ Claim(s) 10, 11, 13 and 22 is/are rejected.
- 7) ☒ Claim(s) 12 and 14-21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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1. The drawings are objected to because it is not clear from Fig. 2 where the output lines are that are connected to the gates of transistors M1 through M4 (neither VCMA nor VCMB is connected to the gates of these transistors, and all of the other signals are inputs in Fig. 2). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office

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action. The objection to the drawings will not be held in abeyance.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10, 13 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Sziebert.

As to claims 10 and 22, note Fig. 3, where the recited "first input node" is the node receiving $V_m/2$; the recited "second input node" is node 104; the recited "first operational amplifier" is the combination of elements 82, 89 and 86; the recited "second operational amplifier" is the combination of elements 84, 93 and 88; the recited voice-coil motor is the combination of elements 70 and 80 (also note that the recitation of the voice-coil motor is merely intended use and cannot be relied upon to define over the reference); the recited first through fourth transistors read on FETs 72, 74, 76 and 78, respectively; the recited first voltage supply node receives V_m ; the recited second voltage supply node is ground; and the

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recited first and second voice-coil motor nodes are at the sources of FETs 72 and 74; respectively. Note that the two operational amplifiers are in fact connected to the first and second input nodes (through amplifier 91). The feedback networks are the feedback connections between the voice coil motor nodes and the first and second operational amplifiers (connected together through the intervening circuit elements).

As to claim 13, note that the feedback wire connections in Fig. 3 of Sziebert inherently have resistances, and the language "for setting the gain and output voltage of the corresponding power amplifier" is also deemed to be inherent in the operation of the circuit shown in Fig. 3 of Sziebert.

3. Claims 10, 11, 13 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Skelton et al.

As to claims 10 and 22, note Fig. 4a, where the recited "first and second input nodes" are any two of the four terminals 38, 40, 42 and 44; the recited "first operational amplifier" is the combination of elements 30 and 32; the recited "second operational amplifier" is the combination of elements 26 and 28; the recited voice-coil motor is element 20 (also note that the recitation of the voice-coil motor is merely intended use and cannot be relied upon to define over the reference); the

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recited first through fourth transistors read on FETs 12, 14, 18 and 16, respectively; the recited first voltage supply node is at the output of element 22; the recited second voltage supply node is ground; and the recited first and second voice-coil motor nodes are at the sources of FETs 12 and 14; respectively. The feedback networks are the feedback connections between the voice coil motor nodes and the first and second operational amplifiers (connected together through the intervening circuit elements).

As to claim 11, see column 1, line 32 of Skelton et al.

As to claim 13, note that the feedback wire connections in Fig. 4a of Skelton et al inherently have resistances, and the language "for setting the gain and output voltage of the corresponding power amplifier" is also deemed to be inherent in the operation of the circuit shown in Fig. 4a of Skelton et al.

4. Claims 1-9 are allowed.

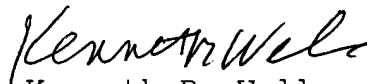
Claims 12 and 14-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Wells whose telephone number is (571)272-1757. The examiner can normally be reached on Monday through Friday from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan, can be reached at (571)272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kenneth B. Wells
Primary Examiner
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August 6, 2004